

**JUDGE KARAS**  
**07 CIV**

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**5466**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**HARRY TRES MEYER,**

:

**Civil Action No.:**

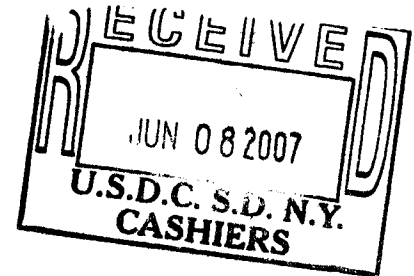
**Plaintiff,** :

**- against -** :

**CARDEAN LEARNING GROUP LLC,** :

**Defendant.** :

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**NOTICE OF REMOVAL**

Defendant Cardean Learning Group LLC ("CLG") files this Notice of Removal pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441(b) and (c), of that certain case filed in the Supreme Court of the State of New York County of New York, Index No. 7601406/07, and in support of this Notice of Removal, states as follows:

**General Requirements**

1. This Notice of Removal is based upon diversity jurisdiction pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441(b).
2. On April 27, 2007, Plaintiff instituted an action against CLG in the Supreme Court of the State of New York, County of New York, Index No. 7601406/07.
3. On May 9, 2007, CLG was served with the Summons and Verified Complaint.
4. This Notice of Removal is being timely filed within one (1) year of the commencement of the action and within thirty (30) days of CLG having received service of the action and a copy of the summons or pleading setting forth a claim for relief.
5. Copies of all pleadings and other papers previously served on CLG are attached hereto as Composite Exhibit "A" as required by 28 U.S.C. § 1446.

6. CLG has filed with the Clerk of the Supreme Court of the State of New York a true and correct copy of this Notice of Removal pursuant to 28 U.S.C. § 1446 (d).

**Diversity of Citizenship**

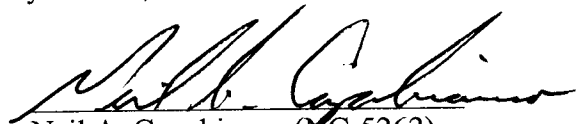
7. Based upon a fair reading of the complaint, the nature of the claims asserted and the demands made prior to the filing of suit, the amount in controversy in this action exceeds the sum of Seventy-Five Thousand and no/100 dollars (\$75,000) exclusive of interest, costs and attorneys' fees, and therefore, the requisite jurisdictional amount, as required by 28 U.S.C. § 1441, et seq., and 28 U.S.C. § 1332, has been met.

8. Plaintiff is a citizen of the State of New York.

9. The Defendant is a foreign corporation organized and existing under the laws of the State of Delaware with its principal place of business located in the State of Illinois and is not a citizen of the State of New York for diversity purposes.

10. There is complete diversity of jurisdiction between the parties.

Respectfully submitted this 8<sup>th</sup> day of June, 2007.



Neil A. Capobianco (NC-5262)  
Counsel for Defendant Cardean Learning Group  
LLC

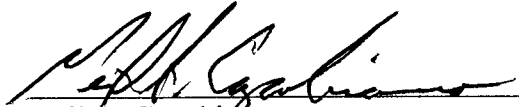
**GREENBERG TRAURIG, LLP**  
MetLife Building  
200 Park Avenue  
New York, New York 10166  
Ph: (212) 801-9200  
Fax: (212) 801-6400

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I served the foregoing **NOTICE OF REMOVAL** by mailing a true and correct copy thereof to the following person by first-class mail addressed to:

Nishani D. Naidoo, Esq.  
Law Office of Nishani Naidoo LLC  
P.O. Box 282  
Bedford, New York 10506

This 8<sup>th</sup> day of June, 2007.

  
Neil A. Capobianco